



EUROPEAN COMMISSION
DG Competition

***Case M.9593 - PTT GC /
ALPA TH / JV***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 10/01/2020

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EUROPEAN COMMISSION

Brussels, 10.1.2020
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PUBLIC VERSION

To the notifying parties

**Subject: Case M.9593 – PTT GC / ALPLA TH / JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation
(EC) No 139/2004¹ and Article 57 of the Agreement on the European
Economic Area²**

Dear Sir or Madam,

1. On 9 December 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings PTT Global Chemical Public Company Limited (“PTT GC”, Thailand) and ALPLA TH Recyclingbeteiligungsgesellschaft m.b.H.A. (“ALPLA TH”, Austria), a wholly owned, indirect subsidiary of Alpla Holding GmbH, acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertaking ENVICCO Limited (“JV”, Thailand) by way of purchase of shares in a newly created company constituting a joint venture.³
2. The business activities of the undertakings concerned are:
 - PTT GC manufactures and supplies upstream, intermediate, and downstream petrochemical products, including PolyEthylene Terephthalate (PET) and High Density Polyethylene (HDPE);
 - ALPLA TH develops and produces rigid plastic packaging solutions such as packaging systems (i.e. bottles with caps/closure), bottles, closures, injection-moulded parts, preforms and tubes;
 - JV will produce and supply mechanically recycled plastics, namely recycled PET and recycled HDPE, made from post-consumed packaging materials.

¹ OJ L 24, 29.1.2004, p. 1 (the ‘Merger Regulation’). With effect from 1 December 2009, the Treaty on the Functioning of the European Union (‘TFEU’) has introduced certain changes, such as the replacement of ‘Community’ by ‘Union’ and ‘common market’ by ‘internal market’. The terminology of the TFEU will be used throughout this decision.

² OJ L 1, 3.1.1994, p. 3 (the ‘EEA Agreement’).

³ Publication in the Official Journal of the European Union No C 425, 18.12.2019, p. 56.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.